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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/22/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK PERKINS,

Plaintiff,

-against-

ADA PRESLEY, Warden NYCDOCS; CAPTAIN TUNSIL,
Food Service Supervisor, NYCDOCS; CAPTAIN LUE,
NYCDOCS; CAPTAIN KELLER, NYCDOCS;
CORRECTION OFFICER LANI, NYCDOCS, DAVID
VILABREA, Medical Doctor, NYCDOCS; CORRECTION
OFFICER TORRES, NYCDOCS; CAPTAIN VASQUEZ,
NYCDOCS,

Defendants.

1:18-cv-03590-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On September 15, 2020, the Court has received a letter from Plaintiff, who is proceeding *pro se*, dated September 1, 2020, requesting a conference to address Defendants' alleged failure to comply with the Court's Order dated August 18, 2020 [ECF No. 83]. In the August 28 Order, the Court directed Defendants to send to Plaintiff by mail identifying information of other inmates discussed at the conference and the video footage preservation policy of the correctional facility [ECF No. 82].

On September 16, 2020, the Court issued an Order directing Defendants to file a response to Plaintiff's letter and mail a copy to Plaintiff [ECF No. 85]. Defendants filed their response the next day [ECF No. 86]. First, Defendants explain that under the video footage preservation policy of the DOC, a copy of which was produced to Plaintiff, video is preserved for only 90 days unless there was (1) a use-of-force incident by DOC personnel or (2) an inmate-on-inmate assault. Because Plaintiff's alleged incident does not fall into either of those two categories, there is no footage of his incident. Screenshots of the relevant surveillance footage do exist, however, because

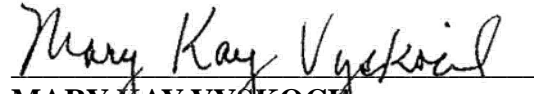
they were taken as part of a disciplinary investigation that followed Plaintiff's alleged incident. Second, Defendants inform the Court that they have complied fully with the Court's Orders and provided all revised, unredacted disclosures of identifying information of detainees to Plaintiff.

Based on the foregoing, IT IS HEREBY ORDERED that on or before September 25, 2020, Defendants shall produce and mail to Plaintiff the surveillance screenshots they reference in their letter to the extent they have not previously been produced. Plaintiff's request for a conference is DENIED. Plaintiff is reminded that his opposition to Defendants' motion for summary judgment is due on or before October 30, 2020.

The Clerk of Court is respectfully requested to mail a copy of this Order to the *pro se* Plaintiff.

SO ORDERED.

Date: September 22, 2020
New York, NY


MARY KAY VYSKOCIL
United States District Judge